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FILED
DISTRICT COURT OF GUAM

NOV - 9 2006 *mbe*

**MARY L.M. MORAN
CLERK OF COURT**

IN THE DISTRICT COURT OF GUAM

NANYA TECHNOLOGY CORP.,)	CIVIL CASE NO. CV-06-00025
)	
Plaintiff,)	
)	
vs.)	APPLICATION FOR
)	EX PARTE MOTION FOR
)	ALTERNATIVE SERVICE OF
FUJITSU LIMITED, FUJITSU)	PROCESS ON DEFENDANT
MICROELECTRONICS AMERICA, INC.,)	FUJITSU LIMITED
)	
Defendants.)	

Plaintiff NANYA TECHNOLOGY CORP. hereby applies for an *ex parte* Motion for Service of Process on Defendant Fujitsu Limited. This application is supported by the accompanying documents on file herewith and the below Memorandum filed contemporaneously herewith.

MEMORANDUM

Upon information and belief, Defendant Fujitsu Limited is unrepresented.

Counsel for Fujitsu Microelectronics America, Inc. is Carlsmith Ball, LLP.

Plaintiff is seeking an ex parte Order for Alternative Service of Process on Defendant Fujitsu Limited because Plaintiff is being prejudiced with respect to their Guam action. Plaintiff has filed this lawsuit first on September 13, 2006. Whereas, the lawsuit filed in California was filed two weeks ago. The Guam litigation is farther along and due dates are pending as soon as November 27, 2006.

Finally, Fujitsu Limited is purposefully attempting to delay service which will inevitably lead to duplicative proceedings in at least two jurisdictions and further waste judicial assets.

DATED at Hagåtña, Guam, this 9th day of November, 2006.

TEKER TORRES & TEKER, P.C.

By


JOSEPH C. RAZZANO, ESQ.

Attorneys for Plaintiff

Nanya Technology Corp.